

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ARLINGTON INDUSTRIES, INC.,

CIVIL ACTION NO. 3:02-CV-0134

Plaintiff,

(JUDGE CAPUTO)

v.

BRIDGEPORT FITTINGS, INC.,

FILED  
SCRANTON

JUL 02 2014

Defendant.

PER

DEPUTY CLERK

**MEMORANDUM ORDER**

In a telephone conference with the Court held on June 30, 2014, Arlington Industries, Inc. ("Arlington") sought the vacation of the Court's June 23, 2014 Order (Doc. 284) so as to allow Arlington to submit an application for fees for the presentation of the ruled upon fee petition as well as additional costs paid directly by Arlington's counsel, namely expert fees of Dr. Rahn and Resonant Legal Media, LLC. Bridgeport Fittings, Inc. ("Bridgeport") opposed this motion on the basis that it would be more efficient to allow the appeal of the June 23, 2014 Order filed in the Federal Circuit on June 27, 2014, and thereafter, if necessary, have this Court entertain Arlington's motion for the additional counsel fees above noted and the costs above noted.

The Court agrees with Bridgeport, and will deny Arlington's Motion to Vacate the June 23, 2014 Order (Doc. 284).

In addition, the Court notes that page 26 of the Memorandum entered on June 23, 2014 (Doc. 283) which states that Arlington is entitled to "\$1,429,244.23" in attorney's fees is in error. It should instead state "\$1,527,632.35," as the Order (Doc. 284) does. Arlington correctly noted that this amount in fees does not include 7.5 hours for the work of paralegal John Lund. This amount was excluded because his work on this case as well as his level

of experience was factually unsubstantiated by Arlington. See *Decl. of Kathryn L. Clune*, Doc. 222-3, ¶¶ 24-26.

Therefore, **NOW** this ~~1<sup>st</sup>~~ day of July, 2014, **IT IS HEREBY ORDERED** that:

- (1) Page 26 of the Court's June 23, 2014 Memorandum (Doc. 283) should read "\$1,527,632.35" instead of "\$1,429,244.23."
- (2) Arlington's Motion to Vacate the June 23, 2014 Order (Doc. 284) in support of additional fees and costs is **DENIED without prejudice**.
- (3) Arlington's Motion to supplement the Court's June 23, 2014 award for the services of Mr. Lund is **DENIED**.

  
A. Richard Caputo  
United States District Judge